

## **REMARKS**

### **Claim Rejections**

Claim 19 is rejected under 35 U.S.C. § 112, second paragraph. Claims 1, 2, 4-8, 10-13, and 15-17 are rejected under 35 U.S.C. § 103(a) as being anticipated by Fujita (US 5,974,083) in view of Propp et al. (US Pub. 2005/0069064). Claims 9 and 10 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Fujita and Propp et al. in view of Kim et al. (US Pub. 2003/0072397).

Claim 18 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

### **Drawings**

It is noted that no Patent Drawing Review (Form PTO-948) was received with the outstanding Office Action. Thus, Applicant must assume that the drawings are acceptable as filed.

### **New Claims**

By this Amendment, Applicant has canceled claim 19 and has added new claims 20-22 to this application. It is believed that the new claims specifically set forth each element of Applicant's invention in full compliance with 35 U.S.C. § 112, and define subject matter that is patentably distinguishable over the cited prior art, taken individually or in combination.

The Applicant respectfully submits that the present invention is distinguishable from Fujita, Propp et al., and Kim et al. for the reasons discussed below.

**First**, in primary reference to Fujita, **the reception unit of the cited prior art is connected to a convolver**. However, in the present invention, **the receiver in claim 1 is coupled to a signal-sampling device**.

**Second**, a peak level detector 22, in Fujita, includes not only a sampling device but also the other circuits, such as a comparator. Since the output of the peak level detector is the peak value, the output stage of the peak level detector

cannot be the sampling device. Because the operation unit is coupled to the output end of the peak level detector in the first cited prior art, the operation unit, element number 24 and 25, cannot be coupled to the sampling device in the peak level detector 22. But the operation unit in claim 1 of the present invention is coupled to the signal-sampling device.

Accordingly, the combination of Fujita, Propp et al., and Kim et al. fail to teach the structure of the independent claim, claim 1 of the present invention, which a signal-sampling device is coupled to a receiver and an operation unit. Therefore, claim 1 is patentable, and the dependent claims are also patentable.

From the above, the circuit structure and the circuit function of the cited prior art and the present invention are not the same. The former has to continuously measure signals to determine whether it is a peak value, but the later measures the signals at a specific time. And the peak level detector and the signal-sampling device are also not the same device; therefore, the present invention should be patentable without doubts.

Neither Fujita, Propp et al., nor Kim et al. disclose, or suggest a modification of their specifically disclosed structures that would lead one having ordinary skill in the art to arrive at Applicant's claimed structure. Applicant hereby respectfully submits that no combination of the cited prior art renders obvious the new and amended claims.

Application No. 10/721,239


**Summary**

In view of the foregoing amendments and remarks, Applicant submits that this application is now in condition for allowance and such action is respectfully requested. Should any points remain in issue, which the Examiner feels could best be resolved by either a personal or a telephone interview, it is urged that Applicant's local attorney be contacted at the exchange listed below.

Respectfully submitted,

Date: January 18, 2008

By:

  
John R. Guice, Jr.  
Reg. No. 39,699

TROXELL LAW OFFICE PLLC  
5205 Leesburg Pike, Suite 1404  
Falls Church, Virginia 22041  
Telephone: 703 575-2711  
Telefax: 703 575-2707

**CUSTOMER NUMBER: 40144**